



NEIFELD REF.: OBSP5GARD-USC2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Gardenswartz

GAU: 3622

APPLICATION NO: 09/893,775

EXAMINER: Champagne

FILED: 6/29/2001

FOR: Communicating with a Computer Based on the Offline Purchase History of a Particular Consumer

37 CFR 41.31 NOTICE OF APPEAL

ASSISTANT COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

SIR:

Applicants hereby appeal to the Board of Appeals from the final office action dated 2/17/06 and further in view of the amendment after final filed on

The items checked below are appropriate:

☐ A Petition for Extension of Time Under 37 C.F.R. §1.136 was filed for _____ months.

☐ A timely response to the final rejection was filed on _____, as provided in 841 O.G. 1411.

☒ An Appeal Brief is being filed herewith.

☐ A Petition for Extension of Time for filing the Notice of Appeal is attached.

☐ Applicant claims small entity status. See 37 C.F.R. §1.27.

☒ 37 C.F.R. § 41.20(b)(1) Notice of Appeal fee of \$500.00

☒ 37 C.F.R. § 41.20(b)(2) Appeal Brief fee of \$500.00

Total Appeal fees enclosed: \$1000.00.

☒ The Commissioner is authorized to charge the above listed fees to Deposit Account No. 50-2106. A duplicate copy of this Notice is enclosed.

☐ Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 50-2106. A duplicate copy of this Notice is enclosed.

☐ If this notice is not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 50-2106. A duplicate copy of this Notice is enclosed.

5/30/06
Date

Respectfully Submitted,

Richard A. Neifeld, Ph.D.
Registration No. 35,299
Attorney of Record

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